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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA) No. CR 08-0083 PJH

18 v.)

19 GUILLERMO ALEJANDRO)
20 ZARAGOZA, et al.,)

21 Defendants.)

22 UNITED STATES OF AMERICA) No. CR 08-0143 PJH
23 v.) [PROPOSED] ORDER EXCLUDING
24 FRANCISCO MORA ALVAREZ,) TIME FROM SPEEDY TRIAL ACT
Defendant.) COMPUTATION

25 The parties appeared before the Court on July 23, 2008 at 1:00 p.m for a status

26 conference. Defendant Guillermo Zaragoza appeared in custody with his attorney George

27
28 **Speedy Trial Act Order**

U.S. v. Guillermo Zaragoza, et al. (08-0083 PJH)

U.S. v. Francisco Mora Alvarez (08-0143 PJH)

1 Cotsirilos; defendant Manuel Corona appeared in custody with attorney Nina Wilder, who also
 2 appeared specially for attorney Garrick Lew on behalf of defendant Irma Corona; defendant Paul
 3 Kozina appeared with his attorney Christy O'Connor; defendant David Quezada appeared in
 4 custody with his attorney Steve Teich, who also appeared specially for attorney Brian Berson on
 5 behalf of defendant David Weld; defendant Martel Valencia appeared in custody with attorney
 6 Robert Waggener; defendant Eduardo Zaragoza appeared in custody with his attorney Claire
 7 Leary; defendant Martin Zaragoza appeared in custody with his attorney Gail Schiffman, who also
 8 appeared specially for attorney Roger Patton on behalf of defendant Juan Zaragoza and attorney
 9 Seth Chazin on behalf of defendant Angelica Rodriguez, who was in custody; defendant Richard
 10 Parodi appeared in custody with attorney Doug Rappaport; and defendant Lorenzo Carbajal
 11 appeared in custody with his attorney Felicia Gross. Defendant Roberto Ruiz remains at-large,
 12 and defendant Francisco Mora Alvarez, in the related case 08-0143 PJH, appeared with his
 13 attorney Haywood Gilliam.

14 At the July 23, 2008 status conference, the parties requested a continuance until
 15 September 17, 2008 at 1:30 p.m. Discovery has been on-going since the commencement of this
 16 case. Discovery has included, among other things, wiretap materials, including audio calls and
 17 line sheets from the wire interceptions, surveillance videos and photographs, and search warrant
 18 materials. Counsel for the defense stated that they need additional time to review the discovery.
 19 Counsel for the defense also indicated that they have specific discovery requests for the
 20 Government, and that the parties will work to resolve the discovery issues to the extent they can
 21 without the filing of motions. The parties agreed in open Court, with their attorneys'
 22 concurrence, that the case should be declared factually and legally complex. Accordingly, the
 23 parties agreed, that the entire period from July 23, 2008 through and including September 17,
 24 2008, should be excluded from the otherwise applicable Speedy Trial Act computation, because
 25 the factual and legal complexity renders it unreasonable to expect adequate and effective
 26 preparation for pretrial proceedings and for the trial within the otherwise applicable time limits
 27 set forth in the Speedy Trial Act.

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Based upon the above-described representations and the parties' agreement in open Court, the Court FINDS THAT the ends of justice served by granting a continuance from July 23, 2008 through and including September 17, 2008 outweigh the best interest of the public and the defendants in a speedy trial, and that the case is so factually and legally complex, due to the number of defendants and the nature of the prosecution, that it is unreasonable to expect effective and adequate preparation for pretrial proceedings and for the trial within the otherwise applicable time limits set forth in the Speedy Trial Act, within the meaning of 18 U.S.C. § 3161(h)(8)(A) and (B)(ii) and (iv).

Accordingly, the Court ORDERS THAT:

1. This case is continued to September 17, 2008 at 1:30 p.m. for further status and for setting of motion dates.

2. The period from July 23, 2008 through and including September 17, 2008 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(ii) and (iv).

Dated: July __, 2008

HON. PHYLLIS J. HAMILTON
United States District Judge